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# SUMMARY RECORD OF THE 8th MEETING

Chairman: Mr. KUKAN (Slovakia)

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The meeting was called to order at 3.30 p.m.

AGENDA ITEM 107: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION (continued) (A/48/18, A/48/76-S/25230, A/48/81, A/48/118, A/48/291-S/26242, A/48/423, A/48/438 and A/48/439)

AGENDA ITEM 108: RIGHT OF PEOPLES TO SELF-DETERMINATION (continued)

(a) RIGHT OF PEOPLES TO SELF-DETERMINATION (continued) (A/48/94, A/48/207, A/48/211, A/48/307, A/48/330, A/48/357, A/48/384, A/48/385)

1. Mr. LEMINE (Mauritania) said that as the Second Decade to Combat Racism and Racial Discrimination was drawing to a close, it was encouraging to see the progress that had been made in South Africa towards the eradication of apartheid and the establishment of a unified, democratic and non-racial society. The international community had understood the importance of those changes and as a result had decided to lift the sanctions against South Africa. Nevertheless, South Africa was going through a critical period of transition. The South African authorities should release all political prisoners and put an end to violence. Once apartheid had been dismantled, the help of the international community would be needed to correct the profound disparities left by the former regime. An appeal for such assistance had been made at the World Conference on Human Rights.

2. The world social and economic situation had given rise to new forms of racism, xenophobia and intolerance. For example, migrant workers, once encouraged to leave their own countries to help in the building of other countries, had become the main target of those new demonstrations of hostility. The decision of the Commission on Human Rights to appoint a Special Rapporteur to examine contemporary forms of racism, racial discrimination, xenophobia and related intolerance, was to be welcomed. The international community had a duty to do everything possible to foresee and prevent the resurgence of such phenomena.

3. The case of Bosnia and Herzegovina was the most tragic, and it was inadmissible that the international community should resign itself to accepting the plans and borders worked out by those who had conceived and implemented the evil policy of ethnic cleansing. The international community could not accept the fragmentation of a Member State of the United Nations at the very moment that it was celebrating the victory over apartheid. It should take immediate individual or collective measures to combat ethnic cleansing and comply with the Programme of Action of the Vienna Conference.

4. All those situations fully justified the proclamation of a third decade to combat racism and racial discrimination. The United Nations and the international community should redouble their efforts to give full effect to the programme of action for the new decade. It was encouraging that the World Conference on Human Rights had attached special importance to that question. In order to attain the goals that had been set it was essential to attack the underlying causes of racism and racial discrimination in all their forms. Adequate resources would of course be needed for that purpose, but what was really important was to be able to eliminate the sources that nurtured hatred, xenophobia and intolerance throughout the world.

5. Mr. SERGIWA (Libyan Arab Jamahiriya) said that, despite the efforts of the United Nations and the international community to eliminate racism and racial discrimination, millions of people continued to be the victims of the policy of ethnic cleansing which degraded and marginalized human beings. Violence had taken new forms: xenophobia and discrimination against migrant workers in European countries, especially against the Arab communities. The result of the resurgence of racism in the European countries, based on feelings of superiority, were countless acts of physical and moral violence.

6. He welcomed the decision to appoint a Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. It was to be hoped that he would have the assistance he needed to carry out his task and that his efforts would help to eradicate racism and racial discrimination.

7. His delegation expressed its satisfaction with the way the situation in South Africa was developing because it would generate the necessary conditions for a transition to a democratic, non-racial and unified society. Nevertheless, it deplored the violence which was still going on and which had caused innumerable deaths. He urged all the parties to put an end to those acts of violence and to create a climate favourable to reaching agreements during the transition to democracy in South Africa.

8. He endorsed the proclamation of the Third Decade to Combat Racism and Racial Discrimination and stressed the need to put an end to policies which strengthened racist regimes. He was glad that the programme of action for the third decade gave priority to activities related to the eradication of racism and discrimination and emphasized the importance of holding seminars and practical courses on the various relevant topics, of promulgating the corresponding laws and of publishing information and educational materials. It was to be hoped that the necessary resources would be available to carry out those activities.

9. Despite the progress made regarding the exercise of the right to self-determination, there were still peoples which did not enjoy that right, such as the Palestinians, who had seen its exercise denied them and whose lands had been taken by force. It was to be hoped that all the resolutions on the question of Palestine recognizing the inalienable right of that people to self-determination would be implemented and that Israel would be requested to withdraw from all occupied Arab territories, including the Holy City of Jerusalem.

10. Ms. SEMAFUMU (Uganda) welcomed the positive trend of events in South Africa and the General Assembly's lifting of the economic sanctions. Nevertheless, the persistence of violence in that country called for concerted and firm action by all parties. The international community would need to lend its support during the difficult transitional period. Unfortunately, the situation was very different in Croatia and Bosnia and Herzegovina, where the apartheid-like practice of ethnic cleansing had taken root and spread.

11. In the post-cold-war era, demonstrations of xenophobia and nationalistic, ethnic and religious tensions were on the rise. The proliferation of neo-Nazi groups was alarming. The victims of that new form of violence were some of the

(Ms. Semafumu, Uganda)

most defenceless members of society, such as migrant workers, refugees and asylum-seekers. In those circumstances, her delegation welcomed the appointment of a Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia.

12. Measures directed at eliminating those new forms of violence should be a major focus of the activities of the Third Decade to Combat Racism and Racial Discrimination. She welcomed the model legislation prepared by the Secretariat, and the fact that the draft programme of action for the third decade would address the question of compensation for victims of discrimination.

13. However, legislation would not suffice to end the problem. The holistic approach used in the Secretary-General's report was therefore a commendable strategy. Her delegation fully supported the choice of topics for research and study, particularly those relating to the relationship between racism and social and economic factors. However, it would have been appropriate to include more details on the institutional arrangements through which the results of those activities would be disseminated, so as to ensure the broadest impact in the most cost-effective manner.

14. In many countries foreigners were sometimes seen as the cause of social problems which were in reality far more complex. That false perception, based on ignorance, frequently stimulated resentment and hatred. It was important that the media campaign and education against discrimination should include data regarding the contribution made by immigrants to the economic, social and cultural development of the host countries.

15. Her delegation recalled that in resolution 47/77 the General Assembly had expressed regret that certain activities had not been implemented because of lack of resources. It was to be hoped that the priority given to the struggle against racism, racial discrimination and xenophobia by the World Conference on Human Rights would be reflected in the political will and commitment of the Member States.

16. With respect to the Middle East, she welcomed the historic meeting between Mr. Arafat and Mr. Rabin and expressed appreciation to all the parties who through their vision, hard work and statesmanship had made that agreement possible. It was to be hoped that the agreement would be the first step towards a durable settlement in accordance with the relevant Security Council resolutions.

17. The Special Rapporteur was to be praised for his valuable report on the question of mercenaries. The role of mercenaries in Angola was particularly alarming, since they represented an impediment to the exercise of the right to self-determination. Although in certain circles the existence of groups of mercenaries and the serious effects of their activities might have been doubted, the increase in their number and expansion of the scope of their operations, as well as possible links between mercenaries and organizations involved in the trafficking of arms and drugs, as well as terrorist groups, should compel the global community to pay greater attention to that sinister phenomenon.

18. Mr. BOTEZ (Romania) said that, in order for the genuine issues dividing peoples not to be lost in the welter of emotive words used by demagogues as a means of hiding their true intentions, a more scrupulous examination of the use and definition of the expressions "self-determination" and "racial discrimination" was needed. What Romania understood by self-determination was the inalienable right to make decisions with respect to oneself, whereas racial discrimination used the concept of race as a basis to discriminate between individuals. One of the questions raised by the practical application of those definitions was how to articulate the exercise of the right to self-determination by an individual or a people without limiting its exercise by others. The answer, which involved the area not of freedom but of democracy, was linked to the characteristics of the group which considered itself entitled to self-determination. That principle had been used by colonial peoples to justify their fight for independence as well as by colonial minorities to block that process. It had been used both as an excuse for the imperialist integration of territories and for secessions motivated by the ambition of local rulers. Racial discrimination had likewise been used as a basis for social discrimination by whites against blacks and vice versa. It was undeniable that the self-seeking way in which both concepts had been used had caused great suffering to humanity throughout history.

19. One could argue whether the "de-Sovietization" of Eastern Europe was comparable to the decolonization of black Africa, or whether it was possible to talk about racial discrimination between the peoples of Western Europe and Eastern Europe. It was, however, indisputable that with the fall of Communism, Eastern Europe had to face unexpected hardships. The collapse of a transnational ideology had awakened latent ethnic and religious fundamentalism. In the new and fragile democracies which had replaced the totalitarian States there were civic intolerance and political extremism, as well as propagation by a free press of separatism, irredentism, racism and anti-semitism. Romania, which was not exempt from those phenomena, found them deplorable. Nevertheless, they were occurring in a mature and democratic civil society.

20. In "An Agenda for Peace", the Secretary-General eloquently expressed the need to maintain a balance between two elements of great value and importance - the sovereignty, territorial integrity and independence of States, on the one hand, and the principle of self-determination of peoples, on the other. Romania agreed with that generous and realistic approach. The balance had to be based on respect for all the human rights of communities and their members, which was the final justification of self-determination - a future-oriented perspective in which bloodshed was not the price of self-determination. The principles of self-determination and non-discrimination should therefore fall within the sphere of preventive diplomacy.

21. Mr. KASOULIDES (Cyprus) said that the disappearance of East-West tensions had created a new spirit of solidarity and cooperation, which had liberated the international community from the ubiquitous threat of a nuclear holocaust but had set in motion a growing tide of discrimination and violence both within and beyond national frontiers. In different parts of the world, individuals and groups were consistently denied the enjoyment of their basic rights; demonstrations of racial hatred and intolerance against minorities were becoming an everyday occurrence. Cyprus, which had been a victim of external interference in one of its ethnic communities, the harbinger of the abhorrent

(Mr. Kasoulides, Cyprus)

practice of ethnic cleansing, was poignantly aware of the penalty of inaction both for individuals and sovereign States.

22. The two Decades to Combat Racism and Racial Discrimination had resulted in many positive developments. However, recent events and the resurrection of racial prejudice, racism and xenophobia, even in cultures and States in which those phenomena were supposed to have been overcome clearly indicated that international efforts had to be intensified in order to eliminate them. If those efforts were not kept up, the international community would run the risk of splitting into numerous micro-entities, which would be the cause of untold human suffering. It was not by chance that a large part of the Declaration and Programme of Action of the World Conference on Human Rights was devoted to racism, racial discrimination, xenophobia and other forms of intolerance. For that reason, the Cypriot delegation had welcomed the decision of the Commission on Human Rights to appoint a Special Rapporteur to examine contemporary forms of racism, racial discrimination, xenophobia and related forms of intolerance.

23. With respect to the elimination of apartheid, which had been the basic goal of the Third Committee, South Africa had embarked that year on a period of adjustment which would ultimately bring it into line with those countries which were democratic and multiracial; by means of the historic resolution 48/1, the General Assembly had lifted the sanctions against that country.

24. Cyprus was deeply concerned about the financial difficulties which the Committee on the Elimination of Racial Discrimination was experiencing. It would be necessary to strengthen it, to accord maximum priority to its aims and to implement them as soon as possible. Cyprus congratulated both that Committee and the Subcommission on Prevention of Discrimination and Protection of Minorities on their achievements despite limited finances and hoped that in the future both bodies would be in a position to carry out their mandate in a more orderly way. To that end, it was necessary for all States to pay their contributions promptly and regularly.

25. At present, the principle of self-determination, as well as the notion of the sovereign State, were open to conflicting interpretations. Although it was difficult to approach those principles outside their traditional contexts, there was an urgent need to do so in an international environment in which ethnic grievances were being exploited and the borders between nations were becoming blurred. The principle of non-interference in the internal affairs of States was also being subtly eroded.

26. The Secretary-General pointed out, in the Agenda for Peace, that the time of absolute and exclusive sovereignty had passed but that if every ethnic, religious or linguistic group were to claim statehood, there would be no limit to fragmentation, and peace, security and economic well-being for all would become ever more difficult to achieve. Unfortunately, most of those claims were based on the highly controversial principle of self-determination that had been used in a number of instances to justify flagrant violations of the norms of international law and of human rights: because of its highly charged political nature, it was expedient to manipulate that principle for political and propaganda purposes throughout the world.

(Mr. Kasoulides, Cyprus)

27. The principle of self-determination and its corollaries had traditionally been applied to Non-Self-Governing Territories (colonies) as well as Trust Territories. The principle had been further strengthened during the anti-colonialism struggle that had led to the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV). In 1966, that right had been linked to the prohibition of the threat or use of force in international relations. Resolution 2160 (XXI) implied violation of that right when peoples of sovereign countries were under military occupation by other States' forces.

28. In the past, most of the deliberations in the Third Committee and in the United Nations had focused on the principle of external self-determination: the inherent right of a "people" to determine its international status, which was granted to dependent peoples and to peoples subject to foreign domination or foreign occupation. As a result of the virtual elimination of colonialism, attention had shifted to the exercise of internal self-determination which was the right of a people living in a sovereign and independent state to choose its government freely and to enjoy genuine autonomy. The recent electoral process in Cambodia supervised by the United Nations was a striking example of the international community facilitating the exercise of that principle within a national State.

29. Since self-determination was attributed to peoples, the meaning of that term had also acquired a certain ambivalence that allowed the right of people to self-determination to be used as a weapon against the territorial integrity and political unity of States. State practice and doctrine also suggested that the principle was not linked to a specific ethnic or religious group but rather to a territorial group. It was therefore necessary to start by fixing well-defined boundaries and to permit political change within such boundaries. In his report on the work of the Organization (A/48/1) the Secretary-General noted that "between the isolated individual and the world there must be an intermediate element, an organized community that enables the individual to participate in the life of the world. This element is the State and its national sovereignty. They respond to the need of all human beings for identification. In a world both impersonal and fragmented, such a need is greater than it ever has been in history".

30. Self-determination was a right that should not be manipulated without regard for other principles of international law and it was moderated in particular by the principle of territorial integrity. Self-determination was the right of peoples, not States, but the application of that principle in the abstract with a view to the creation of more sovereign entities would lead to chaotic consequences and untold human suffering. The events that were unfolding in Bosnia and Herzegovina and in Georgia were tragic examples of the abuse of that principle.

31. Cyprus, the victim of foreign invasion and occupation by a powerful neighbour, was one of the few remaining international cases where the conditions of external self-determination were not satisfied and its people was not allowed to freely express its aspirations. In that connection, the idea had been touted that the ethnic Turkish community was a separate nation with the characteristics

(Mr. Kasoulides, Cyprus)

of a "people", promoting secession, the dismemberment and eventual division of a sovereign State Member of the United Nations. The occupying Power was claiming separate self-determination for an occupied part of the territory of a sovereign State whence the majority of the population had been forcibly expelled. Such a gross distortion of the principles of international law was counterproductive, encouraged fragmentation along ethnic or religious lines and would lead to international chaos.

32. For those reasons, the international community had refused to recognize the secessionist entity created in the occupied part of Cyprus and the Secretary-General had condemned efforts to introduce the notion of self-determination and sovereignty into the negotiations held under his good offices. That approach had been endorsed by the Security Council in its most recent resolutions. It was also for those reasons that the Republic of Cyprus considered timely and appropriate the initiative of Liechtenstein that would be discussed at a later stage; the discussions should include issues of minority rights, clarification of legal and political aspects of the principle of internal self-determination and full enjoyment of human rights within national borders to promote peaceful coexistence.

33. Mr. MRA (Myanmar) said that the right to self-determination enshrined in various United Nations instruments and reaffirmed by resolution 2160 (XXI) had inspired many developing countries such as Myanmar to join the ranks of sovereign independent nations and he hoped that all the peoples still under colonial determination and foreign occupation would soon accede to independence in accordance with the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

34. His country had participated actively in the early work of the Special Committee on Decolonization. That was a clear demonstration of its commitment to self-determination. However, caution should be exercised to ensure that there was no deviation from the original idea. The Vienna Declaration and Programme of Action of June 1993 had clearly stated that self-determination did not authorize or encourage any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States. Self-determination was a right applicable only to peoples under colonial domination or alien occupation.

35. Independent countries had the right to determine their own political, economic and social system and Myanmar was building a democratic society, in accordance with the wishes and aspirations of the people, by convening a national convention in which representatives from all sectors of society, political parties and national ethnic groups, as well as intellectuals, technocrats and specially invited persons participated in order to formulate guidelines for a strong and lasting State constitution. After intensive discussions, agreement had been reached on the fundamental principles for the State structure.

36. The State was constituted according to the union (Pyidaungsu) system. The existing seven territorial divisions had been designated as regions and the seven states retained their status. The seven regions and the states had equal status and authority and retained their names. If there was a desire to change

(Mr. Mra, Myanmar)

the name of a region or a state, that would be done by enacting a law after determining the wishes of the citizens residing in the region or state concerned. In the regions and states, self-administered areas were to be established for national ethnic groups which had a specific population size and shared the same territory with other ethnic groups, except in the case of national ethnic groups which had already been granted regions or states. Depending on the size of the population and inhabited area, those areas would be called self-administered divisions or self-administered zones, as appropriate. Lastly, no part of the national territory - whether a region, state or self-administered zone - could ever secede from the State.

37. Those principles, once approved by the national convention, would be firmly enshrined in the new State constitution.

38. Mr. YASEEN (Sudan) said that the elimination of racism and racial discrimination figured prominently among the recommendations of the World Conference on Human Rights, which had also urged all States to take appropriate measures to combat all forms of racism, xenophobia and acts of violence and ensure that such manifestations were punishable by law. In spite of the work by the United Nations and the international community and the numerous instruments adopted in that regard, such phenomena had increased, and, for that reason, efforts must be redoubled to combat them. In that connection, mention should be made of the report of the Secretary-General (A/48/423) on the draft programme of action for the third decade to combat racism and racial discrimination. It was necessary to eliminate the shortcomings which continued to exist in spite of the past two decades of intensive work and it was hoped that finally the world could be rid of that scourge.

39. The right of all peoples to determine their political and economic destiny and settle their conflicts without foreign interference was a universal principle enshrined in numerous international instruments. All peoples had the right to defend their territorial unity and integrity. The Serbian aggression against the defenceless population of Bosnia and Herzegovina and ethnic purification were totally unjustifiable. The international community must provide assistance to the affected Muslim population and the United Nations and the Security Council must take measures to halt those human rights violations. The international community must demonstrate its determination to defend international law and the sovereignty of Bosnia and Herzegovina. The Sudan welcomed the establishment of an international tribunal for the purpose of prosecuting those responsible for war crimes and violations of international humanitarian law in that territory and hoped that its mandate would be carried out in full.

40. The United Nations had been playing an important role in the changes taking place in South Africa. The Sudan had followed with interest the multi-party negotiations and the agreement to continue the dialogue. In that connection, it was gratifying to note the decision by the Government of South Africa to accede to or sign international instruments to put an end to racial discrimination. He hoped that all that would lead to a united, democratic and non-racial South Africa, that the level of violence would be brought under control during the transition period and that the holding of elections in April would be guaranteed. Racism and racial discrimination must be considered a crime

(Mr. Yaseen, Sudan)

punishable by law. The mere elimination of the apartheid system did not necessarily mean the elimination of that phenomenon in South Africa.

41. The negotiations being conducted between Israel and the Palestine Liberation Organization (PLO) must lead to guarantees for the rights of the Arab and Palestinian peoples on the basis of international legitimacy and, in particular, the relevant Security Council resolutions must be fully implemented. Although a new stage had begun with the signing of the declaration of principles between the PLO and Israel, lasting peace would be achieved in the region only if Israel withdrew from all occupied Arab territories, including Jerusalem, and if the refugees were permitted to return to their land and their property was returned to them.

42. It was well known that self-determination that did not automatically mean the right to secede or establish an independent State and, in that connection, mention should be made of the statement by the Secretary-General in paragraph 19 of his report "An Agenda for Peace". Furthermore, the Sudan considered the proposal by Liechtenstein relevant and hoped that the Committee would give due consideration to the explanatory memorandum contained in document A/48/147. The Sudan's experience with regard to the implementation of self-government had been satisfactory. Regional self-government had been applied in the southern Sudan since the Addis Ababa conference held in 1972.

43. There should be specific conditions for self-government, such as the consent of the Governments involved, if they considered that system more appropriate for the internal structure of the State, and agreement between the groups or territories which would be granted self-government. The approach based on self-government was flexible and could be adapted to safeguard the unity of the State and at the same time satisfy the aspirations of the groups or territories concerned.

44. Mr. ROSENBERG (Ecuador) said that the significant progress achieved recently with regard to the situation in the Middle East and South Africa represented a great victory in the exercise of the right to self-determination and the struggle against racism and racial discrimination. None the less, it was regrettable that racism had today assumed new forms leading to violence against ethnic minorities, thousands of political refugees and countless migrant workers. One conflict after another had come about in a process that had cast a pall over the initial euphoria resulting from the end of the cold war.

45. In some countries, foreigners were feared, despised and attacked, while it was forgotten that, to a large extent, those same foreigners had contributed, through their honest and dedicated work, to the progress of countries that had achieved high levels of development, not to mention the profits that earlier political systems, which had made use of the human and material wealth of the developing world, had brought to those same Powers.

46. Suppressing such new manifestations was the challenge of the third decade to combat racism and racial discrimination and, for that reason, it was appropriate to appoint a Special Rapporteur to consider new forms of racism, xenophobia and intolerance. The Vienna Declaration and Programme of Action stressed the importance of that work.

(Mr. Rosenberg, Ecuador)

47. The report of the Committee on the Elimination of Racial Discrimination (CERD) (A/48/18) summarized the eleventh and twelfth periodic reports of Ecuador, which had been commended by the Committee for their high quality and the regularity with which they had been submitted. His Government was currently preparing its replies to the questions raised by the members of CERD and would submit them in due course.

48. The work of that Committee had become increasingly important, as its Chairman, Mr. Luis Valencia Rodríguez, of Ecuador, had stated in a letter to the Secretary-General, contained at the beginning of the report. The support offered by the General Assembly to the Committee for resolving its financial difficulties would ensure its continued operation and bespoke a widespread interest in the successful fulfilment of its mandate.

49. Ecuador had always been a faithful defender of the principle of self-determination. The exercise of that right clearly did not compromise respect for the territorial integrity of States, since the component parts of a legitimately constituted State were not entitled to the right to self-determination. Any interpretation that stood to disrupt national unity or sovereign territorial integrity jeopardized the principles of the Charter.

50. Ecuadorian society, like many others, was a unified, multicultural and multiracial whole; those elements enriched, exalted and strengthened national feeling and roused popular enthusiasm for the development of the country. The recognition of pluralism could not and should not affect the historical and juridical unity of the State.

51. Mr. BRAHA (Albania) said that, since the adoption of the Vienna Declaration and Programme of Action by the representatives of 171 States - a major step by the international community towards building democracy and restoring respect for human rights and fundamental freedoms throughout the world - the work of the Third Committee had become singularly important.

52. The recent developments in South Africa and the Middle East gave reason to hope that, in the former, the racial hatred and intolerance that had prevailed in that country for centuries would come to an end, and that the elections of April 1994 would be free and fair and would result in a multiracial government, and that, in the latter, the dialogue that had commenced with the signing of the agreement between Israel and the Palestine Liberation Organization would soon lead to peace.

53. In other regions and nations, however, aggressive nationalism had roused racism and racial discrimination, notedly in Bosnia and Herzegovina, where "ethnic cleansing" was the most recent manifestation of racism. Albania stressed that the International Tribunal should immediately initiate proceedings against those persons who had perpetrated atrocities against the Bosnian Muslims so as to restore the authority of the international community.

54. Another example was Kosova, where 2 million ethnic Albanians had been subjected to massive discrimination under an oppressive and discriminatory policy applied by the Serbian authorities, which relegated them to the status of second-class citizens: they were refused education and information in the

(Mr. Braha, Albania)

Albanian language, denied health care, and subjected to political persecution, as had been documented by the reports of Mr. Mazowiecki, Special Rapporteur of the Commission on Human Rights in the territory of the former Yugoslavia, as well as by the resolution concerning the status of human rights in Kosova adopted in August 1993 by the Subcommission on Prevention of Discrimination and Protection of Minorities.

55. Self-determination, a basic human right and a prerequisite for the enjoyment of other human rights and freedoms, had assumed special significance in the current epoch, in which new sovereign and independent States had emerged and joined the international community.

56. Efforts on the part of the international community, since the end of the cold war, to shape a world order based on democracy and freedom had been undermined by acts of aggression and by the oppression of peoples in certain regions resulting from the revival of aggressive nationalism. One such instance was the Yugoslav crisis, which was simply the disintegration of an artificial entity known as the Socialist Federal Republic of Yugoslavia, and was characterized by crimes against humanity like the killing of defenceless Muslims in Bosnia and Herzegovina and the threat of extermination of other peoples of the former Yugoslavia.

57. In Kosova, 92 per cent of the population was Albanian. The people of Kosova had chosen independence after having enjoyed broad autonomy, both administrative and political, for almost half a century, especially under the 1974 Constitution of the former Socialist Federal Republic of Yugoslavia. Since 1989, when Milosevic and his warlords had come to power, Kosova had been subjected to total military occupation by Serbia, a regime that the Albanian people of Kosova had refused to recognize.

58. In 1991, after organizing a referendum in which 87.01 per cent of the population had participated, non-Albanians included, and which had shown 99.87 per cent to be in favour, the Parliament of Kosova had declared the Republic of Kosova an independent and neutral State. The Serbian military State had responded by terrorizing the defenceless ethnic Albanian population, thereby creating a situation which endangered the peace and security of the Balkan region, as various international forums, among them the Conference on Security and Cooperation in Europe and the Security Council, had confirmed.

59. It was high time for the United Nations to take effective measures to prevent the eruption of a conflict in Kosova and to formulate the necessary procedures to enable the Albanian people in that territory and other peoples of the world in similar circumstances to achieve self-determination. Such procedures should include the codification of international norms and commitments concerning the right of peoples to self-determination, which would not necessarily entail changes in international borders, and the creation of a new body within the United Nations system to address practical matters related to that principle, as well as, perhaps, a review of the mandate of the Trusteeship Council, as several delegations had proposed.

60. Mr. TUANKU JAAFAR (Malaysia) said that his country welcomed the passage of the bill by the South African Parliament on the formation of the Transitional Executive Council. Owing to that development and to the agreement to hold elections in April 1994, the final stage towards the irreversible transition to a democratic, united and non-racial South Africa had at last been reached. The United Nations must none the less continue to play the crucial role of ensuring peaceful, fair elections and of monitoring during the transitional period. The end of apartheid signalled the close of an important chapter in the history of the struggle waged by the United Nations against racism and racial discrimination, and should help to bring down the barriers of bigotry, prejudice, intolerance and xenophobia in an increasingly interdependent world.

61. In many cases, the emergence of new democracies had been accompanied by a proliferation of ethnic and other conflicts and tensions that had been suppressed during the cold war, as exemplified by the tragedy of Bosnia and Herzegovina, where inhuman acts like "ethnic cleansing", murder, torture and rape, beyond belief in the present age, continued to be committed. In that regard, the United Nations, particularly the Security Council, which was proving incapable of lending assistance and support in defence of a Member State, must ensure that its resolutions were implemented. Otherwise, as Malaysia had maintained in numerous forums, the arms embargo would have to be lifted.

62. Malaysia, whose contributions to various United Nations peace-keeping operations reflected its commitment to international peace and security, was concerned that the role undertaken by the United Nations since the end of the cold war threatened to mar its credibility. It called on all Member States to abide by the principles and ideals of the Organization.

63. The Second Decade to Combat Racism and Racial Discrimination was over, but it had had only limited success. Racism still was rampant and in some European countries had become increasingly politically charged, to the point that avowed racists had been elected to legislative bodies. Accordingly, the United Nations should continue its efforts to reduce, if not eliminate, racist tendencies around the globe. In that connection, his delegation thanked the Secretary-General for preparing the draft programme of action for the third decade to combat racism and racial discrimination (A/48/423) and hoped that that programme would not suffer the same fate as had that of the Second Decade and that the required funding would be made available to it.

64. As in South Africa, there had been positive developments in Cambodia, where during the current year the people had exercised their right to self-determination through free and impartial elections, in which the United Nations Transitional Authority in Cambodia (UNTAC) had played a major role, and in the Middle East, with the signing in Washington of the mutual recognition agreement between the Palestine Liberation Organization and Israel, which was the first step towards the establishment of a Palestinian State.

65. With regard to the proposal by Liechtenstein, in view of the apprehensions and concerns expressed, further consultations should be held before it was discussed.

66. Mr. AYEWAH (Nigeria) said that as the United Nations began the countdown to its fiftieth anniversary, much had been achieved with respect to the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid. His delegation welcomed the good will demonstrated by the various conflicting groups and the Government of South Africa and was reassured by the optimism of the President of the African National Congress, Nelson Mandela, when he had stated before the General Assembly the preceding month that the countdown to democracy in South Africa had begun, while cautioning that various forces in South Africa did not accept the inevitability of that outcome. Accordingly, there was no room for complacency, and all those determined to see a democratic, non-racial South Africa the following year - in particular, the Government - should rise to the occasion.

67. Although the institutionalized form of racism and racial discrimination in South Africa was crumbling, there regrettably was a resurgence of other manifestations of racism and xenophobia, which had led the World Conference on Human Rights, held in Vienna, to urge all Governments to take immediate measures and develop strong policies to prevent all forms of racism, xenophobia or intolerance and had prompted the Commission on Human Rights to appoint a Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance. In that connection, his delegation, which represented a culturally and ethnically heterogenous society, condemned ethnic cleansing, which it considered not only unacceptable, but also, inexplicable.

68. His delegation, which supported the right of peoples to self-determination, welcomed with satisfaction those States established in implementation of that right which had recently joined the United Nations. However, the Organization must distinguish between the quest for self-determination as a collective wish of a people and that engineered by a handful of selfish individuals. In order to forestall any chaos that might arise in the name of that legitimate principle, the international community should withhold its political and moral support unless movements faced one of the truly exceptional situations in which self-determination would enhance democracy rather than retard it, and should encourage groups to work out their differences within existing national communities.

69. He commended the role of the United Nations and the spirit of cooperation shown by all the parties involved in the question of Western Sahara and urged them to cooperate with the Secretary-General so that talks could resume soon in order to facilitate the holding of the referendum at the end of 1994. He also fully supported the historic Washington accord between the Palestine Liberation Organization and the Government of Israel and commended the Russian Federation and the Governments of Norway and the United States for their role in that regard.

70. Mrs. WARZAZI (Morocco) said that at a time when mankind appeared to be embracing peace, mutual understanding and progress, not only did violations of the most fundamental rights of millions of human beings continue on a daily basis, but they also threatened to affect other groups whose only sin was that they belonged to a different race, religion or culture. The mass media showed heartbreaking scenes daily, for example, in Bosnia and Herzegovina, Abkhazia and Haiti.

(Mrs. Warzazi, Morocco)

71. Far from subsiding, racism was increasing with such violence that all the measures taken by the international community over a 45-year period appeared to have failed. One study indicated that during 1989 and 1990, 32 out of 33 conflicts had been civil wars or conflicts between ethnic or religious groups.

72. One of the most pernicious characteristics of racism was violence, which was occurring on all continents. Of particular concern was the plight of migrant workers in certain developed countries where daily incidents of violent discrimination occurred that could not be explained by the economic situation in those countries.

73. Her delegation took note of the decision by the European Community to adopt all necessary measures to combat racism. It agreed that all propaganda or incitement to hatred or discrimination should be prohibited and punished.

74. She was pleased to note that article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination would at last achieve its objective. Its importance was undeniable, as was the need to put an end to the abusive use of freedom of expression and ensure that the mass media did not contribute to inciting racism and xenophobia. Efforts to eliminate or prevent racism should focus in part on information and education activities on television. The mass media also should play a role in promoting the initiative by UNESCO to sensitize public opinion regarding intolerance.

75. Her delegation hoped that the Special Rapporteur recently appointed by the Commission on Human Rights to consider contemporary forms of racism, racial discrimination and xenophobia and related intolerance would spare no effort in carrying out his work. To that end, he should have access to all reliable sources of information and should be able to count on the full cooperation of all States.

76. The third decade to combat racism and racial discrimination should be adequately funded, in particular, by countries which were in the best position to do so. In any event, it was unfortunate that 28 years after the adoption of a convention to combat racism, the international community had to proclaim a third decade to continue the struggle against one of the most terrible plagues affecting mankind.

77. Mrs. JAHAN (Bangladesh), speaking in exercise of the right of reply, said that her delegation had noted with surprise and regret that reference had been made to the emergence of her country during a lengthy exchange between two delegations in the course of the current debate. She requested that delegations refrain from making such comments.

The meeting rose at 5.40 p.m.